

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 1:22-cv-24066-KMM

GRACE, INC., *et al.*,

Plaintiffs,

v.

CITY OF MIAMI,

Defendant.

NOTICE OF FILING REDISTRICTING RESOLUTION

Defendant, CITY OF MIAMI (hereinafter “Defendant”), by and through undersigned counsel, hereby files notice of passage of City of Miami Resolution R-24-1 (Exhibit A), amending the districting plan adopted by City of Miami Resolution R-23-271 (Exhibit B), by revising a portion of the border between Districts 1 and 3.

Dated: January 19, 2024.

Respectfully submitted,

GRAYROBINSON, P.A.

By: /s/ George T. Levesque
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Florida Bar No. 119067
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties either via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/George T. Levesque
Counsel for City of Miami

Exhibit A



**City of Miami
Certified Copy**

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

File Number: 15308

Enactment Number: R-24-0001

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE JURISDICTIONAL BOUNDARIES OF THE CITY COMMISSION DISTRICTS ADOPTED PURSUANT TO RESOLUTION NO. R-23-0271; OFFICIALLY DELINEATING THE BOUNDARIES OF EACH DISTRICT AS SET FORTH IN "COMPOSITE EXHIBIT 1," ATTACHED AND INCORPORATED; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

SPONSOR(S): Commissioner Manolo Reyes

WHEREAS, the voters of the City of Miami ("City") adopted a Charter Amendment on September 4, 1997, providing for a non-voting Executive Mayor elected City-wide, and five (5) City Commissioners elected from districts; and

WHEREAS, the City Commission adopted Resolution No. 97-495 providing for the jurisdictional boundaries of the City Commission Districts; and

WHEREAS, on May 8, 2003, the City reapportioned district boundaries in Resolution No. 03-0448 following the results of the 2000 Census; and

WHEREAS, on May 23, 2013, the City reapportioned district boundaries in Resolution No. R-13-0208 following the results of the 2010 Census; and

WHEREAS, on March 24, 2022, the City Commission reapportioned the district boundaries in Resolution No. R-22-0131 ("2022 Map") following the results of the 2020 Census; and

WHEREAS, on December 15, 2022, nine (9) months after the adoption of the 2022 Map, certain community organizations filed a federal lawsuit against the City of Miami challenging the new redistricting plan alleging it violated the 14th Amendment's Equal Protection Clause; and

WHEREAS, the Federal court entered an order enjoining the City from calling, conducting, supervising, or certifying any elections using the 2022 map; and

WHEREAS, the City Commission retained the services of a professional redistricting consultant to provide redistricting advice to the City; and

WHEREAS, the results of the 2020 Census show that in 2020, the population of the City had grown to 442,241, an increase of 42,752 or 10.7 percent and that the growth has not been uniform across all five of the City's Commission districts; and

WHEREAS, the 14th Amendment to the U.S. Constitution as interpreted by federal case law requires "substantial equality" of population among single member districts and a review of

File Number: 15308**Enactment Number: R-24-0001**

the Census data shows that the current plan is malapportioned and cannot be used for subsequent elections; and

WHEREAS, Section 2, 52 U.S.C. § 10301 of the Voting Rights Act of 1965 (the "Voting Rights Act"), is a permanent nationwide prohibition on voting practices that discriminate on the basis of race, color, or membership in a language minority group (as defined in Sections 4(f)(2) and 14(c)(3) of the Act, 52 U.S.C. §§ 10303(f)(2), 10310(c)(3)) and prohibits both voting practices that result in citizens being denied equal access to the political process on account of race, color, or membership in a language minority group, and voting practices adopted or maintained for the purpose of discriminating on those bases; and

WHEREAS, the Supreme Court observed in *Reynolds v. Sims*, 377 U.S. 533 (1964), that all that is necessary when drafting state legislative districts is achieving "substantial equality of population among the various districts." The phrase "substantial equality of population" has come to generally mean that a legislative or local government plan will not be held to violate the Equal Protection clause if the overall deviation between the smallest and largest district is less than 10%. In *Avery v. Midland County*, 390 U.S. 474 (1968), the United States Supreme Court applied the Reynolds decision to local governments; and

WHEREAS, the City's redistricting consultant met individually with the five district City Commissioners for the purpose of getting input from them to develop a new map that addressed the concerns of the federal court and also achieved compliance with the Voting Rights Act and the Equal Protection Clause; and

WHEREAS, as a result of the meetings, the redistricting consultant developed a proposed map that took into consideration the policy and political suggestions of the City Commissioners, resident input and the Court's order and named the map Version 12; and

WHEREAS, the City's redistricting consultant analyzed the polarized voting patterns in the City and determined that the Version 12 map was consistent with the three factors enunciated in the case of *Thornburg v. Gingles*, 478 U.S. 30 (1986); and

WHEREAS, on June 14, 2023, at a Special City Commission meeting, the redistricting consultant presented the Version 12 map to the City Commission and the public; and

WHEREAS, after hearing from the public, the City Commission considered the Version 12 map and made some modifications which among other changes included reuniting a portion of Coconut Grove into District 2, made changes between the boundaries of D3 And D4 to restore the Domino park area to D3, moved an area from District 1 into District 5 that contained a restaurant that the District 5 Commissioner had committed significant effort and funding to ensure its success and made other changes necessary to rebalance the population and reduce the Map's overall deviation; and

WHEREAS, the amendments to the Version 12 map were named the District 3 Version 3 Map ("D3 V3 Map"); and

WHEREAS, the City Commission determined that the D3 V3 Map achieved substantial equality of population among the districts; and

WHEREAS, the City Commission determined that the D3 V3 Map was legally sound and meets the City Commission's prime directive that the redistricting plan should abide by the Constitution and the Voting Rights Act; and

File Number: 15308**Enactment Number: R-24-0001**

WHEREAS, the City Commission wishes to further amend the D3 V3 Map, adopted pursuant to Resolution No. R-23-0271, adopted on June 14, 2023, as set forth in "Composite Exhibit 1," attached and incorporated, thereby including the original District 1 boundaries along the southern portion of the river; and

WHEREAS, the proposed revised Map, as set forth in "Composite Exhibit 1," attached and incorporated, meets the City Commission's prime directive that the redistricting plan should abide by the Constitution and the Voting Rights Act;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as fully set forth in this Section and represent findings of the City Commission.

Section 2. The City Commission hereby amends the jurisdictional boundaries of the City Commission Districts adopted pursuant to Resolution No. R-23-0271; officially delineating the boundaries of each District as set forth in "Composite Exhibit 1," attached and incorporated; making findings; and providing an effective date. These election districts shall be applicable for all purposes, including but not limited to, any election of City Commissioners, following the effective date of this Resolution; making findings; and providing an effective date.

Section 3. This Resolution shall become effective immediately upon adoption and signature by the Mayor.¹

DATE:	1/11/2024
RESULT:	ADOPTED WITH MODIFICATION(S)
MOVED:	Manolo Reyes, Commissioner
SECONDER:	Damian Pardo, Commissioner
AYES:	Christine King, Damian Pardo, Manolo Reyes
NAYS:	Joe Carollo
ABSTAIN:	Miguel Angel Gabela
DATE:	1/11/2024
ACTION:	Signed by the Mayor

I, Todd B. Hannon, City Clerk of the City of Miami, Florida, and keeper of the records thereof, do hereby certify that this constitutes a true and correct copy of Resolution No. R-24-0001, with attachment(s), passed by the City Commission on 1/11/2024.



**City Clerk, Deputy City Clerk
(for Todd B. Hannon, City
Clerk)**

January 11, 2024

Date Certified

¹ If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.



City of Miami

Master Report

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

Enactment Number: R-24-0001

File Number: 15308

File Type: Resolution

Status: ADOPTED WITH MODIFICATION(S)

Revision: A

Controlling Body: City Commission

File Name: Redistrict District 1 - Original Boundaries

Introduced: 12/26/2023

Requesting Dept: Commissioners and Mayor

Final Action Date: 1/11/2024

Title: A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), AMENDING THE JURISDICTIONAL BOUNDARIES OF THE CITY COMMISSION DISTRICTS ADOPTED PURSUANT TO RESOLUTION NO. R-23-0271; OFFICIALLY DELINEATING THE BOUNDARIES OF EACH DISTRICT AS SET FORTH IN "COMPOSITE EXHIBIT 1," ATTACHED AND INCORPORATED; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

Sponsor(s): Commissioner Manolo Reyes

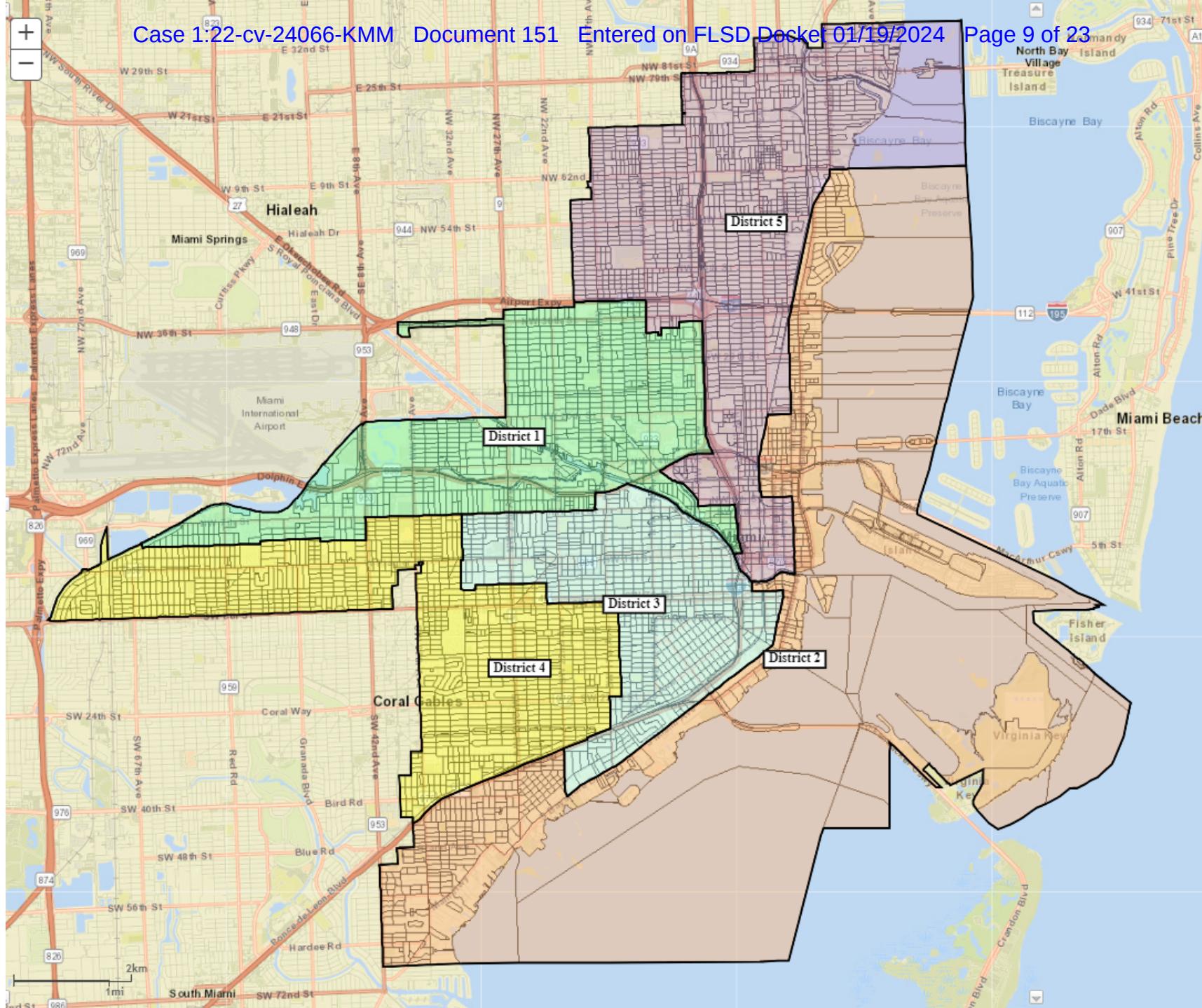
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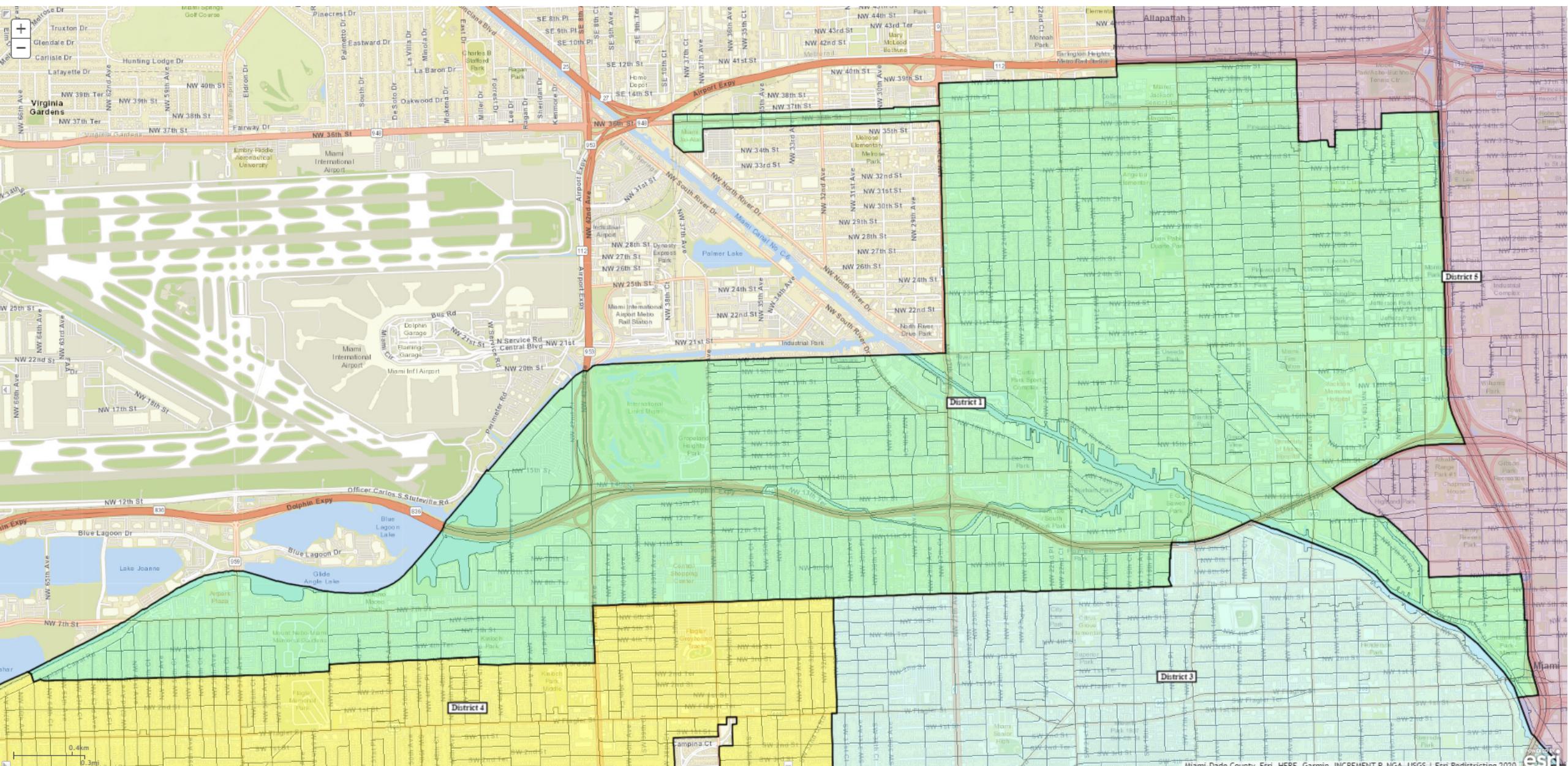
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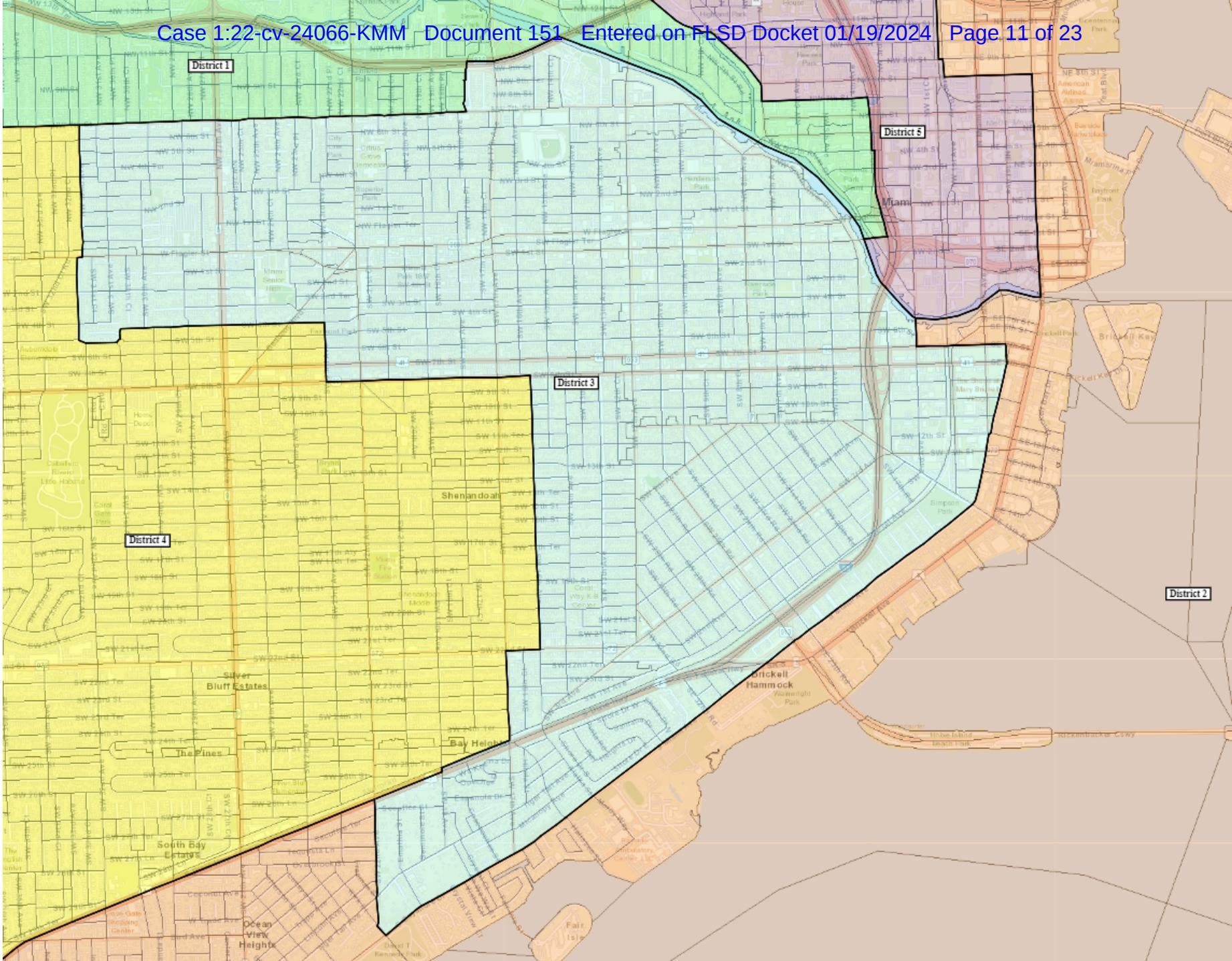
Attachments: 15308 Composite Exhibit 1(PDF)

History of Legislative File:

Revision:	Acting Body:	Date:	Action:	Result:
	Donovan Dawson	12/27/2023	Budget Analyst Review	Completed
	Marie Gouin	12/27/2023	Budget Review	Completed
	Legislative Division	1/2/2024	Legislative Division Review	Completed
	City Commission	1/11/2024	Meeting	Completed
	City Commission	1/11/2024	ADOPTED WITH MODIFICATION(S)	Passed
A	George K. Wysong III	1/11/2024	Deputy Attorney Review	Completed
A	Victoria Méndez	1/11/2024	Approved as to Form With Modifications	Completed
A	Mayor's Office	1/11/2024	Signed by the Mayor	Completed
A	City Clerk's Office	1/11/2024	Signed and Attested by the City Clerk	Completed
A	City Clerk's Office	1/11/2024	Rendered	Completed







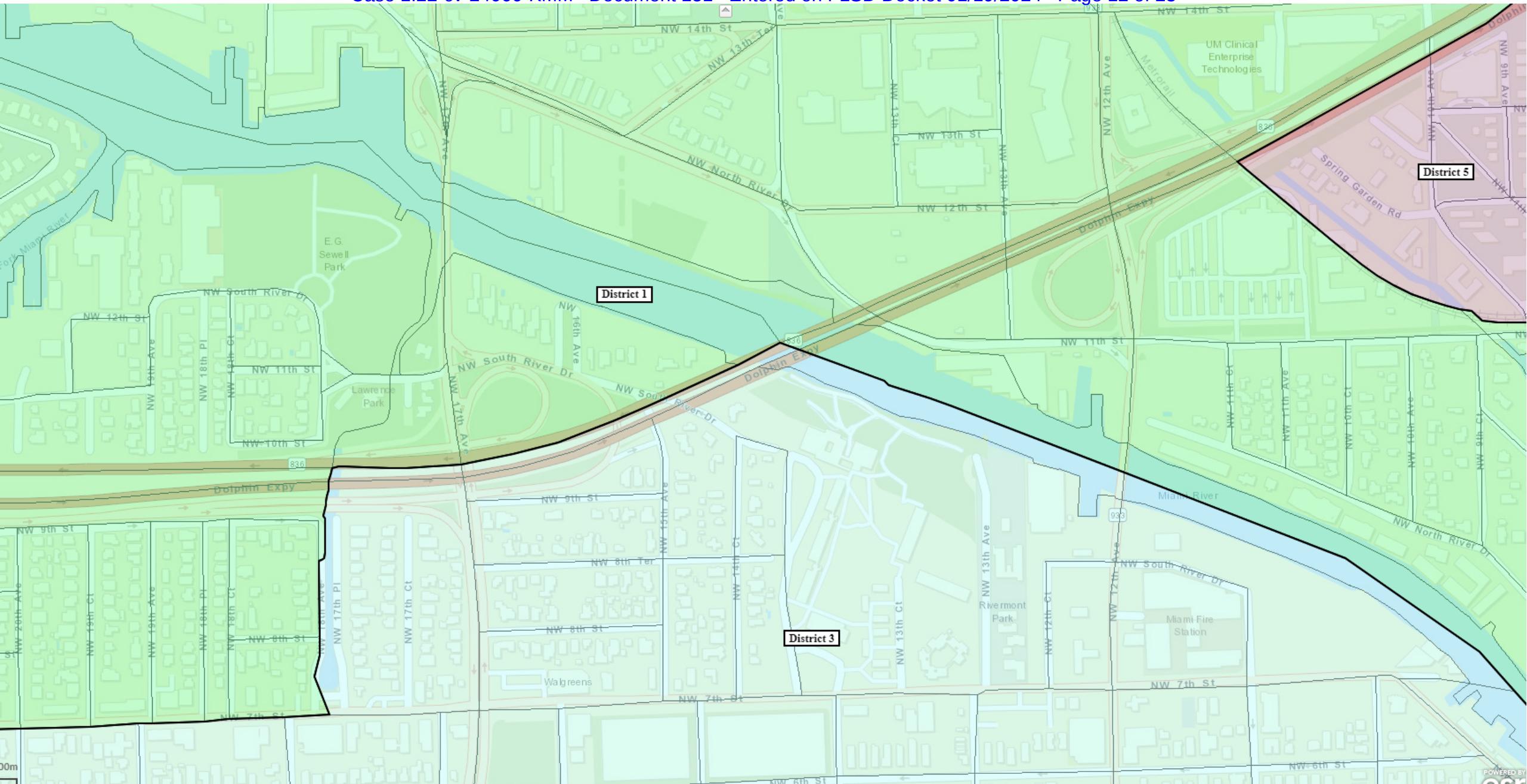


Exhibit B



**City of Miami
Certified Copy**

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

File Number: 14173

Enactment Number: R-23-0271

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PROVIDING THE NEW JURISDICTIONAL BOUNDARIES OF THE CITY COMMISSION DISTRICTS FOLLOWING THE RESULTS OF THE 2020 UNITED STATES CENSUS; OFFICIALLY DELINEATING THE BOUNDARIES OF EACH DISTRICT AS SET FORTH IN "COMPOSITE EXHIBIT 1," ATTACHED AND INCORPORATED; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the voters of the City of Miami ("City") adopted a Charter Amendment on September 4, 1997, providing for a non-voting Executive Mayor elected City-wide, and five (5) City Commissioners elected from districts; and

WHEREAS, the City Commission adopted Resolution No. 97-495 providing for the jurisdictional boundaries of the City Commission Districts; and

WHEREAS, on May 8, 2003, the City reapportioned district boundaries in Resolution No. 03-0448 following the results of the 2000 Census; and

WHEREAS, on May 23, 2013, the City reapportioned district boundaries in Resolution No. R-13-0208 following the results of the 2010 Census; and

WHEREAS, on March 24, 2022, the City Commission reapportioned the district boundaries in Resolution No. R-22-0131 ("2022 Map") following the results of the 2020 Census; and

WHEREAS, on December 15, 2022, nine (9) months after the adoption of the 2022 Map, certain community organizations filed a federal lawsuit against the City of Miami challenging the new redistricting plan alleging it violated the 14th Amendment's Equal Protection Clause; and

WHEREAS, the Federal court entered an order enjoining the City from calling, conducting, supervising, or certifying any elections using the 2022 map; and

WHEREAS, the City Commission retained the services of a professional redistricting consultant to provide redistricting advice to the City; and

WHEREAS, the results of the 2020 Census show that in 2020, the population of the City had grown to 442,241, an increase of 42,752 or 10.7 percent and that the growth has not been uniform across all five of the City's Commission districts; and

WHEREAS, the 14th Amendment to the U.S. Constitution as interpreted by federal case law requires "substantial equality" of population among single member districts and a review of the Census data shows that the current plan is malapportioned and cannot be used for subsequent elections; and

WHEREAS, Section 2, 52 U.S.C. § 10301 of the Voting Rights Act of 1965 (the "Voting Rights Act"), is a permanent nationwide prohibition on voting practices that discriminate on the basis of race, color, or membership in a language minority group (as defined in Sections 4(f)(2) and 14(c)(3) of the Act, 52 U.S.C. §§ 10303(f)(2), 10310(c)(3)) and prohibits both voting practices that result in citizens being denied equal access to the political process on account of race, color, or membership in a language minority group, and voting practices adopted or maintained for the purpose of discriminating on those bases; and

WHEREAS, the Supreme Court observed in *Reynolds v. Sims*, 377 U.S. 533 (1964), that all that is necessary when drafting state legislative districts is achieving "substantial equality of population among the various districts." The phrase "substantial equality of population" has come to generally mean that a legislative or local government plan will not be held to violate the Equal Protection clause if the overall deviation between the smallest and largest district is less than 10%. In *Avery v. Midland County*, 390 U.S. 474 (1968), the United States Supreme Court applied the Reynolds decision to local governments; and

WHEREAS, the City's redistricting consultant met individually with the five district City Commissioners for the purpose of getting input from them to develop a new map that addressed the concerns of the federal court and also achieved compliance with the Voting Rights Act and the Equal Protection Clause; and

WHEREAS, as a result of the meetings, the redistricting consultant developed an amalgamated proposed map that took into consideration the policy and political suggestions of the City Commissioners, resident input and the Court's order and named the map Version 12; and

WHEREAS, the City's redistricting consultant analyzed the polarized voting patterns in the City and determined that the Version 12 map was consistent with the three factors enunciated in the case of *Thornburg v. Gingles*, 478 U.S. 30 (1986); and

WHEREAS, on June 14, 2023, at a Special City Commission meeting, the redistricting consultant presented the Version 12 map to the City Commission and the public; and

WHEREAS, after hearing from the public, the City Commission considered the Version 12 map and made some modifications which among other changes included reuniting a portion of Coconut Grove into District 2, made changes between the boundaries of D3 And D4 to restore the Domino park area to D3, moved an area from District 1 into District 5 that contained a restaurant that the District 5 Commissioner had committed significant effort and funding to ensure its success and made other changes necessary to rebalance the population and reduce the Map's overall deviation; and

WHEREAS, the amendments to the Version 12 map were named the District 3 Version 3 Map ("D3 V3 Map"); and

WHEREAS, the D3 V3 Map achieves substantial equality of population among the districts; and

WHEREAS, the D3 V3 Map is legally sound and meets the City Commission's prime directive that the redistricting plan should abide by the Constitution and the Voting Rights Act;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

File Number: 14173

Enactment Number: R-23-0271

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as fully set forth in this Section and represent findings of the City Commission.

Section 2. The City delineates the jurisdictional boundaries of each of the five (5) delineated City Commission districts, as set forth in "Composite Exhibit 1," attached and incorporated. These election districts shall be applicable for all purposes, including but not limited to, any election of City Commissioners, following the effective date of this resolution.

Section 3. This Resolution shall become effective immediately upon adoption and signature by the Mayor.¹

DATE:	6/14/2023
RESULT:	ADOPTED
MOVED:	Alex Diaz de la Portilla, Commissioner
SECONDER:	Manolo Reyes, Commissioner
AYES:	Christine King, Joe Carollo, Alex Diaz de la Portilla, Manolo Reyes
NAYS:	Sabina Covo

I, Todd B. Hannon, City Clerk of the City of Miami, Florida, and keeper of the records thereof, do hereby certify that this constitutes a true and correct copy of Resolution No. R-23-0271, with attachment(s), passed by the City Commission on 6/14/2023.



City Clerk, Deputy City Clerk
(for Todd B. Hannon, City
Clerk)

June 29, 2023

Date Certified

¹ If the Mayor does not sign this Resolution, it shall become effective at the end of ten (10) calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.



City of Miami

Master Report

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

Enactment Number: R-23-0271

File Number: 14173

File Type: Resolution

Status: ADOPTED

Revision:

Controlling Body: City Commission

File Name: Resolution Adopted Map D3 V3 - 3.6 Dev - Redistricting of City Commission Districts

Introduced: 6/15/2023

Requesting Dept: City Commission

Final Action Date: 6/14/2023

Title: A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S), PROVIDING THE NEW JURISDICTIONAL BOUNDARIES OF THE CITY COMMISSION DISTRICTS FOLLOWING THE RESULTS OF THE 2020 UNITED STATES CENSUS; OFFICIALLY DELINEATING THE BOUNDARIES OF EACH DISTRICT AS SET FORTH IN "COMPOSITE EXHIBIT 1," ATTACHED AND INCORPORATED; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE.

Notes:

Links:

Attachments: 14173 Composite Exhibit 1(PDF)

History of Legislative File:

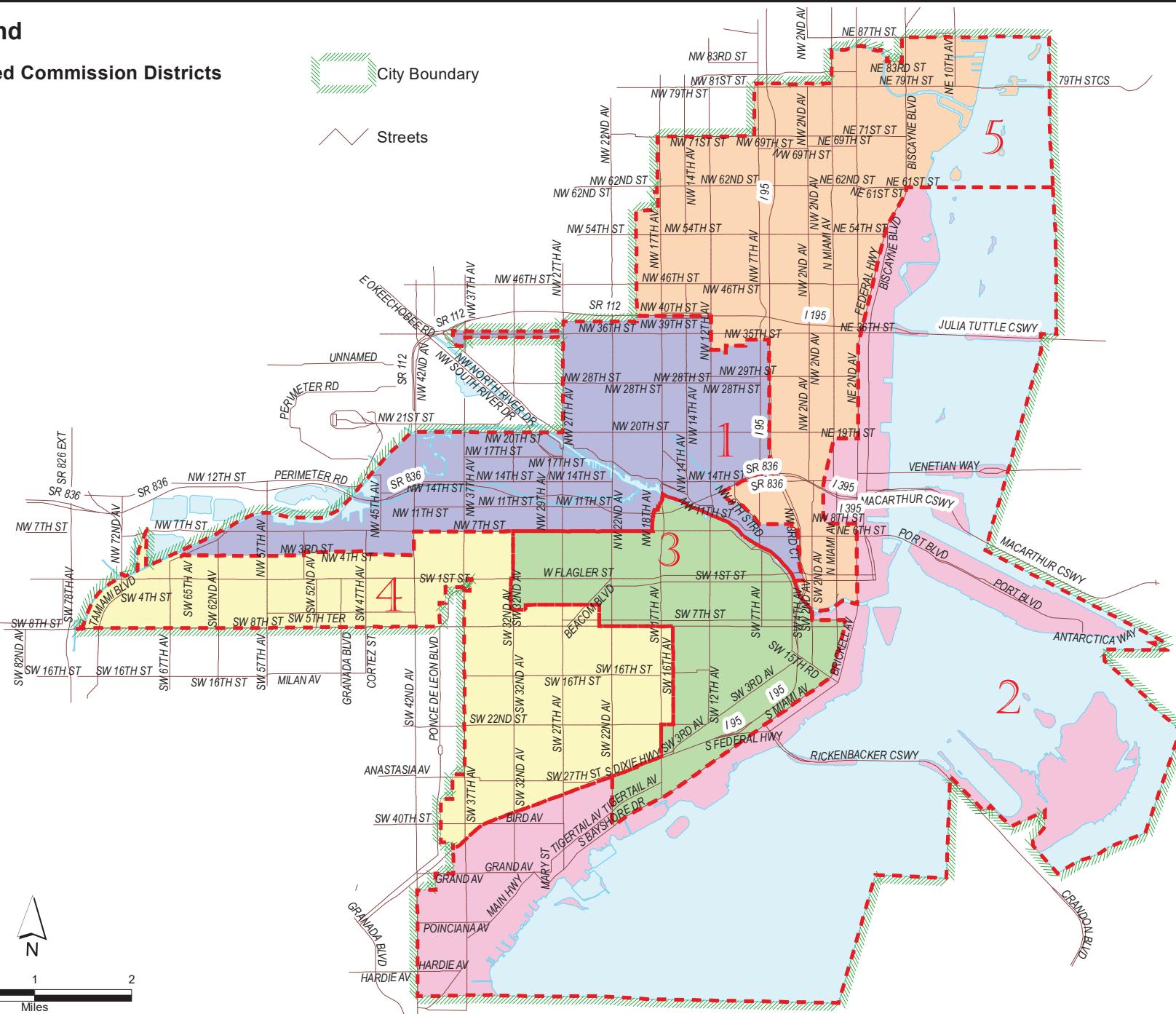
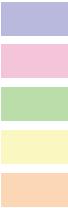
Revision:	Acting Body:	Date:	Action:	Result:
	City Commission	6/14/2023	Meeting	Completed
	City Commission	6/14/2023	ADOPTED	Passed
	Mayor's Office	6/23/2023	Unsigned by the Mayor	Completed
	City Clerk's Office	6/23/2023	Signed and Attested by the City Clerk	Completed
	Legislative Division	6/27/2023	Legislative Division Review	Completed
	George K. Wysong III	6/29/2023	ACA Review	Completed
	Marie Gouin	6/29/2023	Budget Review	Completed
	Victoria Méndez	6/29/2023	Approved Form and Correctness	Completed
	City Clerk's Office	6/29/2023	Rendered	Completed



City of Miami Commission Districts Adopted June 14, 2023

Legend

Adopted Commission Districts

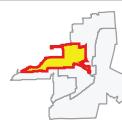




City of Miami Commission Districts Adopted June 14, 2023

Commission District:

1



Legend



A horizontal scale bar consisting of a thick black line segment from 0 to 0.5 miles.





City of Miami Commission Districts Adopted June 14, 2023

Commission District:

2



Legend



A scale bar indicating distances in miles. The bar is divided into two segments: a black segment on the left labeled '0' and a white segment on the right labeled '0.5'. Below the bar, the word 'Miles' is written vertically.





City of Miami Commission Districts Adopted June 14, 2023

Commission District:

3



Legend



A horizontal scale bar with a black segment on the left labeled "0" and a white segment on the right labeled "0.5". Below the bar is the word "Miles".





City of Miami Commission Districts Adopted June 14, 2023

Commission District:

4

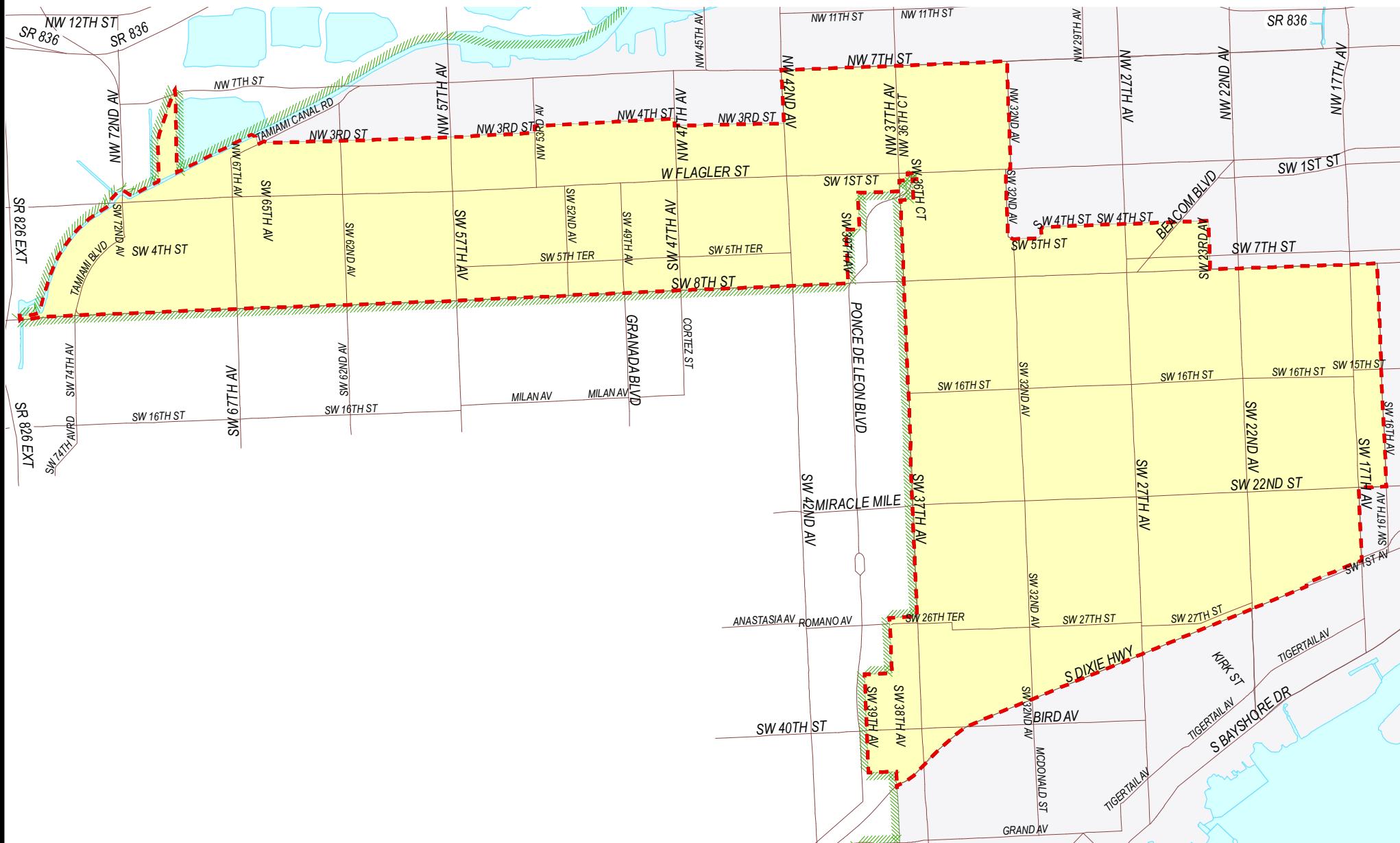


Legend



0 0.5

Miles

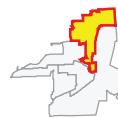




City of Miami Commission Districts Adopted June 14, 2023

Commission District:

5



Legend



A scale bar at the top of the map showing a distance of 0.5 miles. It consists of a horizontal line with tick marks at both ends, labeled '0' on the left and '0.5' on the right, with the word 'Miles' written below it.

